# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/702,127 | 10/30/2000 | James P. Alexander | CA9200000 US1 | 8742 |

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| 25259 | 7590 | 12/03/2004 | |

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| EXAMINER |
|---|
| NGUYEN, CHAU T |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2176 | |

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2"><strong><em>Office Action Summary</em></strong></td><td><strong>Application No.</strong><br>09/702,127</td><td><strong>Applicant(s)</strong><br>ALEXANDER ET AL.</td></tr>
<tr><td><strong>Examiner</strong><br>Chau Nguyen</td><td><strong>Art Unit</strong><br>2176</td></tr>
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*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) ☒ Responsive to communication(s) filed on <u>03 September 2004</u>.

2a) ☒ This action is **FINAL**.  2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) ☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-14* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

### Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All  b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

1.      Amendment, received on 09/03/2004, has been entered.  Claims 1-14 are

presented for examination.

### Claim Rejections - 35 USC § 103

2.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the
> prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains.  Patentability shall not
> be negatived by the manner in which the invention was made.

3.      Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chouinard, US Patent No. 6,671,701, and further in view of Brandt et al.

(Brandt), US Patent No. 6,714,979.

4.      As to claims 1 and 8-12, Chouinard discloses a method of synchronizing

communications messages between a first back office system and a web-based

application in a computer network, wherein the first back office system comprises

a first back office database and a plurality of nodes for creating documents, the

nodes communicating with the first back office database, the documents each

being identified with a primary key code and a timestamp designating the time of

creation of each document, and the back office system generates document

messages, the document messages each comprising one of the documents and

primary key code and timestamp information for the one of the documents, the

method comprising the steps of:

receiving in the web-based application a stream of the document

messages from the back office system (col. 3, line 57 – col. 4, line 55: file server

106 acts as file manager (web-based application) receives, stores, and transmits

files of data (stream of document messages) between LAN members, and data

files created respectively at workstations 103 and 104 (back office system) may

be routed to file server 106);

operating the web-based application database to maintain inbound

document message information comprising primary key codes and said

timestamps for selected document messages previously received by the web-

based application database (Abstract, and col. 2, lines 14-44: a time and date

stamp of the destination file is stored in a database);

comparing the primary key code of a new inbound document message

received by the web-based application database with primary key codes

maintained in the web-based application database for the previously received

document messages (Abstract and col. 2, lines 14-44: for source files

encountered for a second or subsequent time, the date and time stamps of all of

the source files are compared against the database that contains file names,

date and time information for destination files);

selecting a pair of corresponding document messages by identifying any one previously received document message having a primary key code corresponding with the primary key code of the new inbound message (col. 7, lines 12-32: detecting any source files that are a newer version than the corresponding destination files);

identifying the more recent document message in the selected pair of corresponding document messages by comparing the timestamp of the previously received document message in the message pair with the timestamp of the new inbound message in the message pair (Abstract, col. 2, lines 14-44 and col. 6, line 57 – col. 7, line 32: detecting any source files that are a newer version than the corresponding destination files); and

updating the web-based application database to record the inbound document message information for the more recent document message, the unique inbound document message; and the timestamps for the more recent and the unique inbound document messages (col. 2, lines 14-44 and col. 7, lines 12-32: replacing the previous time and date stamp in the database with the time and date stamp of the new conversion and saving the updated destination file in the destination directory in place of the previous destination file).

However, Chouinard does not explicitly disclose selecting a unique new inbound document message by identifying any new inbound document message with a primary key code which does not correspond to any of the primary key codes maintained in the web-based application database. Brandt discloses a

telecommunications data management/system architecture integrated with a novel Web/Internet based reporting system includes a file is read and compared to the NPA/NXX table and the country code, NPA, NXX, City Name, and State Name are used to see if that exact combination exists, and if it does not, then it will be added to the NPA/NXX table and added to the dimension add file (col. 3, line 60 – col. 4, line 23 and col. 17, line 51 – col. 18, line 6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt and Chouinard to include selecting a unique new inbound document message by identifying any new inbound document message with a primary key code which does not correspond to any of the primary key codes maintained in the web-based application database. Brandt's data management system permits use of existing hardware while allowing further growth to utilize new equipment at less cost and further allows for incremental expansion as applications and database capacities.

5.      As to claims 2 and 14, Chouinard and Brandt disclose wherein the primary key comprises document type information and document identification information (Chouinard, col. 2, lines 14-44).

6.      As to claim 3, Chouinard and Brandt disclose wherein the inbound document messages are communicated to an inbound queue prior to communication to the web-based application database (Chouinard, col. 4, lines 11-17).

7.      As to claims 4 and 13, Chouinard and Brandt disclose wherein the

inbound document messages are communicated to a multi-threaded inbound

message processor prior to communication to the web-based application

database (Brandt, col. 27, line 66 – col. 28, line 7. Brandt's system would

support processing and storage of customer's data in a form suitable for

expedient access and presentation as a report for customers over the World

Wide Web/Internet).

8.      As to claim 5, Chouinard and Brandt disclose wherein the inbound

document messages are generated by a multi-port message generator (Brandt,

col. 11, lines 6-27: Using multi-port message generator would provide process

data or messages faster, more efficient and for load balancing).

9.      As to claim 6, Chouinard and Brandt disclose logging an error when a new

inbound message in a selected of a corresponding document messages does not

have the more recent timestamp in the selected pair (Brandt, col. 7, lines 20-24,

col. 14, lines 45 – col. 5, line 20: Brandt's system would support processing and

storage of customer's data in a form suitable for expedient access and

presentation as a report for customers over the World Wide Web/Internet).

10.     As to claim 7, Chouinard and Brandt disclose identifying the new inbound

message in a selected pair of corresponding document messages which does

not have the more recent timestamp in the selected pair and segregating said new message from further processing according to a predetermined process path (Brandt, col. 15, line 51 – col. 16, line 7: for the purpose of support processing and storage of customer's data in a form suitable for expedient access and presentation as a report for customers over the World Wide Web/Internet).

### *Response to Arguments*

In the remarks, Applicant(s) argued in substance that

A) "References fail to teach or suggest a stream of document messages."

As to point A), Chouinard discloses in col. 3, line 57 – col. 4, line 55: file server 106 acts as file manager (web-based application) receives, stores, and transmits files of data (stream of document messages) between LAN members, and data files created respectively at workstations 103 and 104 (back office system) may be routed to file server 106.

11.    Applicant's arguments filed 09/03/2004 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

**THIS ACTION IS MADE FINAL.**   Applicant is reminded of the extension

of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action.  In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action.  In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Chau Nguyen whose telephone number is

(571) 272-4092.  The examiner can normally be reached at 8:00 am – 5:00 pm

Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Joseph Feild can be reached on (571) 272-4090.  The fax

phone numbers for the organization where this application or proceeding is

assigned are (703) 872-9306.  Any inquiry of a general nature or relating to the

status of this application or proceeding should be directed to the receptionist

whose telephone number is (703) 305-3230.

Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks

Washington, D.C. 20131

**Or Faxed to:**

(703) 872-9306, (for **formal communications**; please mark

"EXPEDITE PROCEDURE").

**Or:**

(703) 746-7240 (for **informal or draft communications**, please

label

"PROPOSED" or "DRAFT").

**Or:**

(703) 872-9306 (for **After Final Communications**).

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Chau Nguyen
Patent Examiner
Art Unit 2176

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER